

Message0528

Subject:	Texas Lobbyist for TSBME April 1 mtg. - Ace Pickens, Esq.
From:	Kramer, John
Date:	3/8/2004 4:44:32 PM
To:	Perri, Dr. Nancy
CC:	McCormick, Patrick
BCC:	'nealsimon@auamed.org'; 'nealssimon@aol.com'

Message Body

Dr. Perri & Patrick: This is what I have been able to gather so far from Bernie Ferguson at his home today (239-513-9874) in R.I...He was more than knowledgeable about our recent difficulties with the TSBME, since St. George's is experiencing exactly the same troubles...In his estimation, Texas has always been the most obstinate, and perhaps inconsistent in their actions, with respect to the day-to-day operation of their medical board moving against international medical grads (specifically from the Caribbean) and denying or delaying physician licensure, regardless of other jurisdictions in which the physician is currently licensed to practice. [He related some of his interactions over the years with Denise Myer at the Board, among others.] Indeed, those doctors possessing multiple board certifications, national recognitions, etc. are given the same short shrift if, upon inspection they have the misfortune to have graduated from an international medical school based anywhere in the Caribbean...

Bernie was well aware of the TSBME failing to "grandfather in" those medical graduates whose dates of commencement were prior to the institution of new rules and procedures for applying for physician licensure and that, in short, they were in fact "grandfathering out" any applications of physicians graduating from a foreign medical school prior to the instituted rule changes now in place...Meaning that if you graduated before last year, you are completely out of luck with respect to gaining licensure in Texas, no matter whether we are ultimately successful or not in demonstrating/documenting RUSM compliance with the new rules (GME, research, CME, neurology, etc.)

He recommended a lobbyist that SGU has used in the past (and Ross Univ. has also retained him, during the late 1980s):

[REDACTED]

Bernie suggested we contact [REDACTED] SAP; having recommended him, however, he wanted to caution us that he believes there is practically nothing we can do at present to sway the Board, even with [REDACTED] very expensive help, as they are firmly under Dr. Patrick's control (the present President of the TSBME) and Dr. Patrick is both an M.D. and a J.D., so a gifted physician who is also a brilliant attorney (Bernie's insight) can be a formidable opponent if, as is the case with Dr. Patrick, ruthlessness and protectionism is also part of the bargain...

After hearing some of the horror stories of SGU grads recently denied licensure by the Texas Board--and the content of a very similar letter sent to one of their grads (much the same as the one detailed by Dr. Haroun Rashid, a RUSM grad who called last week and who communicated with Patrick today)--I think it safe to assume we are in exactly the same boat as SGU, and this is Bernie's reading as well...

He is also of the opinion that we will get absolutely nowhere with the Board until we decide to take legal action, since Dr. Patrick is highly effective with the Texas State Legislature... While you may still want to speak with Bernie, at least we have somewhere to go from here for the moment with Ace Pickens, Esq.... And while Mr. Ferguson (and Pat and Charles Adams) have no real desire to sue the Board at this juncture, that is exactly what Bernie thinks will have to happen sooner or later... His best suggestion in that regard is to join forces soon, much as Neal and he did with AUC, SGU and Ross in the 80s, and bring legal action against the TSBME and Dr. Patrick since he is convinced that is the only route at this point that will work—he is convinced Dr. Patrick is vulnerable to a legal challenge, now that they have pretty much shown their hand... Thanks,

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